

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VOIP-PAL.COM, INC.,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendants.

CIVIL ACTION NO. 6:21-CV-674-ADA

JURY TRIAL DEMANDED

STIPULATION

The following are hereby stipulated and agreed by and between the attorneys for parties below:

1. On May 12, 2023, VoIP-Pal narrowed its asserted claims in this case to ten identified claims, including claims 43 and 140 of U.S. Patent No. 10,880,721. VoIP-Pal now further agrees to narrow its asserted claims in this case to eight claims, withdrawing its assertions based on claims 43 and 140 of the '721 patent. These two claims, and arguments relating to any alleged infringement of them, will not be presented at trial.

2. VoIP-Pal withdraws any and all claims of indirect infringement in this case and agrees that it will not present any arguments to the jury or Court that T-Mobile is liable for either contributory or induced infringement for any claim of the patents-in-suit; and

3. To the extent that VoIP-Pal asserts claims for pre-suit willful infringement, VoIP-Pal withdraws any and all claims of pre-suit willful infringement in this case and agrees it will not present any arguments to the jury or Court that T-Mobile is liable for willfully infringing the patents-in-suit before June 25, 2021 or that T-Mobile is liable for enhanced damages based on any alleged infringement of any claim of any asserted patent before June 25, 2021.

Dated: June 1, 2023

Respectfully submitted,

/s/ Lewis E. Hudnell, III (with permission)

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing Stipulation via the Court's CM/ECF system pursuant to the Federal Rules of Civil Procedure on this 1st day of June, 2023.

/s/ Melissa R. Smith